THE MYSORE LEGISLATIVE ASSEMBLY

THIRTIETH DAY

Friday, 7th April 1961.

The House met in the Assembly Hall, Vidhana Soudha, Bangalore, at One of the Clock.

Mr. SPEAKER (Sri S. R. KANTHI, B.A., LL.B.) in the Chair.

STARRED QUESTIONS

(to which oral answers were given)

BARAWARDAR PATEL OF SAGADE VILLAGE IN CHAMARAJANAGAR TALUK.

*Q.—244. Sri U. M. MADAPPA (Chamarajanagar).—

Will the Government be pleased to state :—

(*a*) the date on which the Barawardar Patel of Sagade village, Chamarajanagar taluk, was taken on duty since he returned from leave ;

(*b*) the date on which the Sub-Division Officer, Nanjangud, orderd that the Barawardar Patel should hand over the charge again to the Hangame Patel?

*A.—Sri KADIDAL MANJAPPA (Minister for Revenue).—

(*a*) The Barawardar Patel of Sagade was one Sri Nanjegowda. On his death one Hampappa was appointed as acting Patel. He continued in office till 1944. Thereafter one Puttananjaiah was holding the office as acting Patel till 16th January 1961, on which date Sri Hampappa was ordered to be taken on duty.

(*b*) On 21st January 1961 the Assistant Commissioner on an appeal passed an order that Sri Puttananjaiah may be continued in office pending adjudication of the claims of both the persons.

ಶ್ರೀ ಯು. ಎಂ. ಮಾದಪ್ಪ.—ಈಗ ಈ ಅಪೀಲು ಯಾವ ಘಟ್ಟದಲ್ಲಿದೆ?

†Sri KADIDAL MANJAPPA.—The Assistant Commissioner has to adjudicate the claims of both the persons.

Sri B. RACHAIAH.—Was it a judicial order?

Sri KADIDAL MANJAPPA —It is an order passed under Village Officers' Act.

Sri B. RACHAIAH.—Was there any appeal preferred by the Barawardar at that time?

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†Indicates that the remarks or speeches have not been revised by the Member concerned.

Sri KADIDAL MANJAPPA.—Who is the Barawardar is itself an issue which is to be decided while adjudicating the claims of these two persons.

Sri U. M. MADAPPA.—Are Government aware that the name of Mr. Hampappa is in the Bara Baluthi Register ?

Sri KADIDAL MANJAPPA.—According to the report I have received, they have not admitted that he is the Barawardar. The D.C. has reported that he was an acting Patel upto 1944 and thereafter the other man was appointed.

Sri U. M. MADAPPA.—Do you mean to say that the name is there but they have not admitted that he is the Barawardar or his name is not at all there ?

Sri KADIDAL MANJAPPA.—There is no particular reference to his name being entered in the Bara Baluthi Register but the D.C. has reported that he was only an acting Patel.

Sri U. M. MADAPPA.—I want to know definitely whether the name of Mr. Hampappa is in the Bara Baluthi Register or not.

Sri KADIDAL MANJAPPA.—I do not know.

ಶ್ರೀ ಜಿ. ಎಂ. ಚಿನ್ನಸ್ವಾಮಿ.—ಹಂಪಪ್ಪನವರಿಂದ ಪುಟ್ಟನಂಜಯ್ಯನವರಿಗೆ ಚಾರ್ಜ್ ಕೊಡಿಸಿದ್ದಕ್ಕೆ ಏನು ಕಾರಣ ?

ಶ್ರೀ ಕಡಿದಾಳ್ ಮಂಜಪ್ಪ.—ಇಲ್ಲಿಯೇ ಹೇಳಿದೆ.

Sri G. VENKATAI GOWDA.—Why was Hampappa ordered to be taken on duty when Puttananjaiah was acting ?

Sri KADIDAL MANJAPPA.—I was told by the Taluka Office that it was an order passed without proper enquiry.

Sri G. VENKATAI GOWDA.—Who is the person who is competent to pass an order in such cases ?

Sri KADIDAL MANJAPPA.—There is an irregular order and therefore the Assistant Commissioner has intervened.

Sri J. B. MALLARADHYA.—When the question of the claims of both these persons is a matter pending adjudication, why should a man on duty should have been deprived of his charge ?

Sri KADIDAL MANJAPPA.—Puttananjaiah was on duty and Hampappa was ordered to be taken on duty but the charge was not actually handed over.

Sri J. B. MALLARADHYA.—After Hampappa was taken on duty, the question arose as to who has got a better claim. But what was the point in unseating him and re-installing the other person when the question of adjudication of their respective claims was pending ?

Sri KADIDAL MANJAPPA.—From 1944 up to 16th January 1961 this Puttananjaiah was holding office as an acting Patel.

ಶ್ರೀ ಜಿ. ಬಿ. ಮಲ್ಲಾರಾಧ್ಯ.—ಹಂಪಪ್ಪನವರನ್ನು ತೆಗೆದುಕೊಳ್ಳಬೇಕಾದರೆ ಇದ್ದ ಪ್ರಬಲ ತರವಾದ ಕಾರಣಗಳೇನು?

ಶ್ರೀ ಕಡಿದಾಳ್ ಮಂಜಪ್ಪ.—ಹಾಗೇನೂ ಇಲ್ಲ. ಆ details ಎಲ್ಲವನ್ನೂ ಉತ್ತರದಲ್ಲಿ ಹೇಳುವುದಕ್ಕಾಗುವುದಿಲ್ಲ.

Sri G. VENKATAI GOWDA.—What action Government proposes to take for the illegal order passed by a person who is not competent to pass such an order?

Sri KADIDAL MANJAPPA.—These are *quasi*-judicial matters. The whole thing is under adjudication before the Assistant Commissioner. So, I cannot interefere now. There was a petition presented to me. I have said that in the light of the Supreme Court decision the best person has to be selected.

Sri B. RACHAIAH.—Has the Government issued a circular stating that while appointing persons village offices, efficiency and merit alone should be considered in view of the Supreme Court decision?

Sri KADIDAL MANJAPPA.—We have not yet issued a circular.

Sri M. RAMAPPA.—Sri Puttananjappa was only a Gumastha patel. If he has not claimed office why he has been appointed as patel?

Sri KADIDAL MANJAPPA.—When he was working as a Patel, all of a sudden there was an Order from the Taluk office that Hampappa should be taken to office. That is how he has been taken.

Sri M. RAMAPPA.—Is Hampappa Barwardar Patel?

Sri KADIDAL MANJAPPA.—I am not admitting that he is a Barwardar Patel.

ಶ್ರೀ ಎಂ. ರಾಮಪ್ಪ.—ನಂಜೇಗಾಡ ನತ್ತುಹೊದ ಮೇಲೆ ಶ್ರೀ ಹಂಪಪ್ಪ ಬರಾರ್ದ ಪಟೇಲ್ ಆಗಿ ಕೆಲಸಮಾಡಿ ರಜ ತೆಗೆದುಕೊಂಡಿದ್ದಾನೆ. ಶ್ರೀ ಪುಟ್ಟನಂಜಯನನ್ನು ಗುಮಾಸ್ತ ಪಟೇಲ್ ಆಗಿ ನೇಮಕಮಾಡಿದರು. ಅವನು ಆಫೀಸ್ ಕ್ಲೈಮ್ ಮಾಡಿಲ್ಲ. Why he was appoinnted in the place of Hampappa then?

ಶ್ರೀ ಕಡಿದಾಳ್ ಮಂಜಪ್ಪ.—1941ನೇ ಇಸವಿಯಿಂದ 1961ನೇ ಇಸವಿವರೆಗೆ ಪುಟ್ಟನಂಜಯ್ಯ ಅಕ್ಟಿಂಗ್ ಪಟೇಲ್ ಆಗಿ ಕೆಲಸ ಮಾಡುತ್ತಾ ಇದ್ದಾನೆ. According to the information I have with me, this Hampappa has not raised his little finger.

Sri J. B. MALLARADHYA.—Leave has been sanctioned by a competent authority and the man is on authorised leave.

Sri KADIDAL MANJAPPA.—I will verify. In practice, we do not sanction leave for such a long period.

Sri J. B. MALLARADHYA.—Are you aware that the procedure is whenever there is a vacancy of pateli, acting arrangement is made by tne Tahasildar who thereafter seeks sanction and approval from Sub-Division Officer. Where is the irregularity?

Sri KADIDAL MANJAPPA.—The Hon'ble Member who is a very experienced officer is giving information.

Sri G. VENKATAI GOWDA.—Who passed the order ?

Sri KADIDAL MANJAPPA.—It was Amildar who passed the order.

Sri U. M. MADAPPA.—Are the Government aware that he is even collecting money ?

Sri KADIDAL MANJAPPA.—According to the report I have received actual charge was not handed over though there was an order.

Sri U. M. MADAPPA.—Will you please examine whether he has collected money in the interest of justice and equity ?

Sri KADIDAL MANJAPPA.—I have no objection.

Sri B. RACHAIAH.—Is it not Sheristedar who has passed the order?

Sri KADIDAL MANJAPPA.—That was my information.

Sri M. RAMAPPA.—Is Puttananjaiah clamining pateli office and if it is so on what ground ?

Sri KADIDAL MANJAPPA.—The whole matter is under adjudication. I have not got all the records.

Sri G. VENKATAI GOWDA.—You were pleased to say that Sheristedar passed the order. But in reply to a supplementary from Sri Mallaradhya you said it is Amildar. Which is correct ?

Sri KADIDAL MANJAPPA.—Sheristedar who was in charge of Tahasildar.

SHIFTING OF VADDINAHALLI VILLAGE IN DAVANAGERE TALUK.

*Q.—385. Sri K. T. JAMBANNA (Davanagere).—

Will the Government be pleased to state :—

whether they are aware that the villagers of Vaddinahally in Davangere taluk have represented that the village may be shifted to a high level as the village is already marshy being located in low level ?

*A.—Sri KADIDAL MANJAPPA (Minister for Revenue).—

No.

ಶ್ರೀ ಕೆ. ಟಿ. ಜಂಬಣ್ಣ.—ಭದ್ರಾರೈಟ್ ಬ್ಯಾಂಕ್ ಚಾನರ್ ಆ ಹಳ್ಳಕ್ಕೆ ಕೇವಲ ಒಂದು ಫರ್ಲಾಂಗ್ ದೂರದಲ್ಲಿ ಹೋಗುತ್ತದೆ ಎನ್ನುವದು ಸರ್ಕಾರದ ಗಮನಕ್ಕೆ ಬಂದಿದೆಯೇ ?

†ಶ್ರೀ ಕಡಿದಾಳ್ ಮಂಜಪ್ಪ.—ಅಲ್ಲಿಂದ ರೆಪ್ರೆಜೆಂಟೇಷನ್ ಬಂದಿಲ್ಲ. ತಮ್ಮ ಕ್ವೆಶ್ಚನ್ ಬಂದ ಮೇಲೆ ಅದನ್ನು ವಿಚಾರ ಮಾಡಬೇಕು ಎಂದು ಹೇಳಿದ್ದೇನೆ.

ಶ್ರೀ ಕೆ. ಟಿ. ಜಂಬಣ್ಣ.—ಈ ಹಳ್ಳ ಕೇವಲ ತಗ್ಗಿನಲ್ಲಿದೆಯಲ್ಲವೇ ?

ಶ್ರೀ ಕಡಿದಾಳ್ ಮಂಜಪ್ಪ.—ಅದನ್ನು ವಿಚಾರ ಮಾಡುತ್ತೇನೆ